

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDWARD VINCENT RAY, JR.,

Plaintiff,

v.

S. CHEFALO,

Defendant.

No. 1:20-cv-01515-AWI-GSA (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, DISMISSING  
ACTION WITHOUT PREJUDICE, DENYING  
MOTION TO PROCEED IN FORMA  
PAUPERIS, AND DIRECTING CLERK OF  
COURT TO CLOSE CASE

(Doc. No. 10)

Edward Vincent Ray, Jr., is a state prisoner proceeding pro se with this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Eastern District of California Local Rule 302.

On November 20, 2020, the Magistrate Judge issued findings and recommendations recommending that Plaintiff's motion to proceed in forma pauperis be denied under 28 U.S.C. § 1915, and this case be dismissed without prejudice to refiling upon prepayment of the filing fee.

Those findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within fourteen days after service. Doc. No. 10. On December 21, 2020, Plaintiff filed objections to the findings and recommendations. Doc. No. 11.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a

de novo review of the case. Having carefully reviewed the entire file, including Plaintiff's objections, the Court concludes that the Magistrate Judge's findings and recommendations are supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations issued on November 20, 2020 (Doc. No. 10), are adopted in full;
2. Plaintiff's motion to proceed in forma pauperis, filed on October 27, 2020 (Doc. No. 2), is denied;
3. This action is dismissed without prejudice to refiling upon prepayment of the filing fee; and
4. The Clerk is directed to close this case.

IT IS SO ORDERED.

Dated: January 20, 2021

  
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SENIOR DISTRICT JUDGE